



AGENDA

CITY COUNCIL of SALT LAKE CITY

and

LOCAL BUILDING AUTHORITY OF SALT LAKE CITY, UTAH MEETING AGENDA

REVISED

Tuesday, November 22, 2011

2:00 p.m. Work Session *(the public is invited to listen to the discussion)*

7:00 p.m. Formal Meeting *(public comment section is included)*

Note: Utah law requires the Salt Lake City Council to act as several other boards to help govern the City. During this meeting, the Council will adjourn temporarily, and then convene as the Local Building Authority Board to deal with items E6-7b. The Council and the Mayor, acting as the Board of Canvassers, also will convene to act on item E5 .

[Council Meeting Rules, Parliamentary Order and Procedure](#)

A. WORK SESSION: Approximately 2:00 p.m. in Room 326, City & County Building, 451 South State St.

(The work session may include discussion about items on the formal agenda. Unfinished agenda items from the work session also may be discussed after the formal meeting.)

1. **(TENTATIVE)** The Council will consider a motion to enter into Closed Session, in keeping with Utah Code § 52-4-204, for any of the following purposes:
 - a) A strategy session to discuss collective bargaining, pursuant to Utah Code § 52-4-205 (1)(b);
 - b) A strategy session to discuss the purchase, exchange, or lease of real property (including any form of water right or water shares) when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the City from completing the transaction on the best possible terms, pursuant to Utah Code § 52-4-205(1)(d);
 - c) A strategy session to discuss pending or reasonably imminent litigation, pursuant to Utah Code § 52-4-205(1)(c);
 - d) A strategy session to discuss the sale of real property (including any form of water right or water shares) if (1) public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the City from completing the transaction on the best possible terms, (2) the City previously gave notice that the property would be offered for sale, and (3) the terms of the sale are publicly disclosed before the City approves the sale;
 - e) For attorney-client matters that are privileged, pursuant to Utah Code § 78B-1-137; and
 - f) A strategy session to discuss deployment of security personnel, devices or systems pursuant to Utah Code Section 52-4-205(1)(f).

CONTINUED ON NEXT PAGE

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SØREN SIMONSEN | DISTRICT 7

2. Report of the Executive Director, including a review of Council information items and announcements.
3. The Council will hold a follow-up discussion on the proposed construction and financing of the Utah Performing Arts Center (UPAC). Including but not limited to:
 - A review of previous studies completed regarding performing arts facilities;
 - A review of the Administration's transmittal regarding the proposed UPAC, including a resolution approving terms of an interlocal agreement relating to a proposed Community Development Area (CDA) on Block 70, a resolution regarding an interlocal agreement allowing a portion of future property tax increment in the Downtown Redevelopment Project area (SARR Funds) to be used towards debt service on the UPAC, and a notice of a public hearing to consider issuing Sales Tax Bond Revenue Anticipation notes to pay for the initial design of the UPAC.
 - A related matter for Council consideration is a budget amendment which would authorize expenditure of design funds and upfront costs (approximately \$15 million). (Budget Amendment No. 3)

(Item C1a - b)

[ATTACHMENTS](#)

4. ~~(TIME CERTAIN 3:00 p.m.)~~The Council will receive a presentation from Arthur C. Nelson, Presidential Professor, City and Metropolitan Planning, University of Utah regarding accessory dwelling units (ADUs). This relates to proposed changes to the City's zoning regulations allowing accessory dwelling units in single family and multi-family zoning districts currently being considered by the City Council. The intent is to provide a broader mix of housing opportunities in existing neighborhoods that address changing family needs, economic conditions, smaller household sizes, and increase efficient use of existing housing, public infrastructure and transit. Related provisions of Title 21A—Zoning—may also be amended as part of this petition. Petitioner—Mayor Ralph Becker, Petition No. PLNPCM2010-00612. (Item H3) [ATTACHMENTS](#)
5. The Council will receive a briefing regarding an ordinance adopting the budget for the Solid Waste Management Facility, the "Landfill." The Landfill is owned by Salt Lake County and the City, and the budget is prepared and submitted by the Salt Lake Valley Solid Waste Management Council for 2012. (Item H4) [ATTACHMENTS](#)
6. The Council will receive a follow-up briefing, on two issues, regarding the establishment of a Local Building Authority:
 - a. A series of proposed motions leading to the organization of the Local Building Authority of Salt Lake City, Utah, and the forms of Articles of Incorporation and Bylaws relating thereto; authorizing the appropriate officers of the City Council and the City to take all necessary actions in connection therewith; dissolving the Municipal Building Authority of Salt Lake City, Salt Lake County, Utah and providing for related matters. (Item G6)
 - b. A resolution adopting the tentative budget for the Capital Projects Fund of the Local Building Authority of Salt Lake City, Utah for Fiscal Year 2011-2012. (Potential Funding for the Glendale Branch Library) (Item G7a-b)

[ATTACHMENTS](#)

7. The Council will receive a follow-up briefing regarding Budget Amendment No. 2 for Fiscal Year 2011 - 2012. Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications. This amendment includes items related to the implementation and purchase of Parking Pay Stations, way-finding signs in the downtown area, the fleet budget, and some grants. (Item C2) [ATTACHMENTS](#)
8. The Council will receive a briefing on two items related to the planned project to build a two-mile street car line at about 2200 South between McClelland Street (1050 East) and the Utah Transit Authority Central Pointe TRAX Station at 221 West 2100 South.
 - The first item is a proposed interlocal agreement among Salt Lake City, South Salt Lake and UTA that would govern each city's and UTA's responsibilities to build and operate a streetcar line along the two-mile corridor.
 - The other item is a proposed budget amendment to identify revenue and allocate Salt Lake City's share of the project.

Public hearings and formal consideration of the agreement will occur later. (Item H5)
[ATTACHMENTS](#)

9. The Council will receive a follow-up briefing regarding a Golf Green Fee increase which would become effective on January 1, 2012. The increase would: 1) set aside \$1.00 per 9-hole round of golf to be used for Capital Improvement Projects at the City's golf courses, and 2) depending on course, add an additional amount for operations. [ATTACHMENTS](#)
10. The Council will receive a briefing regarding the City's 10 Year Capital Facilities Plan and Impact Fees. Capital improvements involve the construction, purchase or renovation of buildings, parks, streets or other physical structures. Generally, projects have a useful life of five or more years and cost \$50,000 or more. [ATTACHMENTS](#)
11. **(TIME CERTAIN 6:00 p.m.)** The Council will interview K. Marie Taylor prior to consideration of her appointment to the Planning Commission. **(Item H8)** [ATTACHMENTS](#)
12. **(TIME CERTAIN 6:10 p.m.)** The Council will interview Clark Ruttinger prior to consideration of his appointment to the Planning Commission. **(Item H9)** [ATTACHMENTS](#)
13. **(TIME CERTAIN 6:20 p.m.)** The Council will interview Bernardo Flores-Sahagun prior to consideration of his appointment to the Planning Commission. **(Item H10)**
[ATTACHMENTS](#)

FORMAL MEETING

B. OPENING CEREMONY: 7:00 p.m. in Room 315, City & County Building, 451 South State St.

Council Member JT Martin will conduct the Formal Council Meetings during the month of November.

1. Pledge of Allegiance.
2. The Council will consider adopting a joint resolution with Mayor Becker in observation of December 1, 2011 as World AIDS Day. [ATTACHMENTS](#)

3. The Council will approve the meeting minutes of Tuesday, November 1, 2011 and Tuesday, November 15, 2011. [ATTACHMENTS](#)

C. PUBLIC HEARINGS:

1. Resolution and Ordinance: Utah Performing Arts Center – Bond Issuance and Budget Authorization

- a. Accept public comment and consider adopting a resolution issuing up to \$18 million in subordinate excise tax revenue notes for the purpose of financing a portion of the cost of financing part of the cost of acquiring, constructing and equipping a proposed performing arts center. (The Administration proposes to issue up to \$18 million in sales tax revenue notes to pay for the final design and other non-construction costs of a proposed performing arts center. If construction of the center ultimately is approved, the notes would be repaid from a larger issue of bonds. If construction does not proceed, the sales tax revenue notes would be repaid through other sources.) (Relates to the Budget Opening No. 3)
(Q11-9)

Budget Opening No. 3

- b. Accept public comment and consider adopting an ordinance amending Ordinance No. 50 of 2011 which adopted the final budget of Salt Lake City, Utah for the Fiscal Year 2011 – 2012. Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications. This budget amendment relates to a request to fund design of the proposed Utah Performing Arts Center.
(B 11-8)

[ATTACHMENTS](#)

Staff Recommendation: Close and consider options.

2. Ordinance: Budget Opening No. 2 for Fiscal Year 2011 - 2012

Accept public comment and consider adopting an ordinance amending Ordinance No. 50 of 2011 which adopted the final budget of Salt Lake City, Utah for the Fiscal Year 2011 – 2012. Budget amendments happen several times each year to reflect adjustments to the City's budgets, including proposed project additions and modifications. This amendment includes items related to the implementation and purchase of Parking Pay Stations, way-finding signs in the downtown area, the fleet budget, and some grants. [ATTACHMENTS](#)
(B 11-10)

Staff Recommendation: Close and consider options.

3. Ordinance: Zoning Text Amendment Special Exception Review Procedures. PLNPCM2010-00785

Accept public comment and consider adopting an ordinance proposing changes to the City's zoning regulations transferring the approval authority for Special Exceptions from the Board of Adjustment to the Planning Commission or the Historic Landmark Commission (for Special Exceptions located in a Historic Preservation Overlay Zoning District). The zoning regulations define Special Exceptions as a use that is incidental to or in addition to the principal use (such as a home occupation or outdoor dining as part of a restaurant), or an adjustment to a specific dimension standard (such as modifications to height, yard area or fence height) that have less impact than a conditional use, but which require a careful review of building location, design, or potential impacts on the surrounding neighborhood. Related provisions of Title 21A – Zoning – may also be amended as part of this petition. Petitioner – Mayor Ralph Becker, Petition No. PLNPCM2010-00785. [ATTACHMENTS](#)
(P 11-12)

Staff Recommendation: Close and consider options.

4. Ordinance: Elimination of the Board of Adjustment and Land Use Appeals Board

Accept public comment and consider adopting an ordinance changing the City Code including the City's zoning regulations to eliminate the Board of Adjustment and the Land Use Appeals Board as land use appeal authorities and replacing the boards with an appointed professional hearing officer. The hearing officer would review and make decisions relating to variance applications, appeals of Administrative, Planning Commission and Historic Landmark Commission decisions. The intent is to provide a more streamlined and consistent appeal process for land use decisions and reduce the expenditure of City funds and staffing resources. Related provisions of Title 21A – Zoning – may also be amended as part of this petition. Petitioner – Mayor Ralph Becker, Petition No. PLNPCM2010-00312. [ATTACHMENTS](#)
(P 11-11)

Staff Recommendation: Close and consider options.

5. **Public Hearing Resolution: General Obligation Bonds, Series 2011 Parameters Resolution for Open Space Projects**

Accept public comment and consider adopting a resolution authorizing **regarding** the issuance and sale of up to \$2,000,000 aggregate principal amount of general obligation bonds of the City for purposes of acquiring and preserving open space, park and recreational lands and the potential economic impact that such projects will have on the private sector.
[ATTACHMENTS](#)
(Q 11-6)

Staff Recommendation: Close **the public hearing and**
consider options.

D. POTENTIAL ACTION ITEMS:
(None)

E. COMMENTS:

1. Questions to the Mayor from the City Council.
2. Comments to the City Council. (Comments are taken on any item not scheduled for a public hearing, as well as on any other City business. Comments are limited to two minutes.)

F. NEW BUSINESS:
(None)

G. UNFINISHED BUSINESS:

1. Resolution: Historic Preservation Policy Statement

Consider adopting a resolution establishing a citywide Preservation Program Philosophy Statement. This is part of the request from the Administration to clarify and promote Salt Lake City's historic preservation goals. Other components of the program include improvement of the citywide Preservation Plan and preservation policy statements and providing tools and projects to implement the City's preservation goals. [ATTACHMENTS](#)
(T 11-7)

Staff Recommendation: Adopt.

2. Resolution: Zero Waste

Consider adopting a joint resolution with the Mayor supporting waste reduction and diversion practices for Salt Lake City, and identifying new goals to divert more waste from the Landfill. [ATTACHMENTS](#)
(R 11-16)

Staff Recommendation: Adopt.

3. Ordinance: Wastewater Pretreatment Ordinance Revision

Consider adopting an ordinance revising the City's wastewater pre-treatment ordinance. The purpose of the pretreatment program is to prevent introduction of pollutants into the City's wastewater system. The changes are mostly required by the State Department of Environmental Quality and may affect some businesses with discharge permits. (Changes would affect *Salt Lake City Code* Chapters 17.32, 17.36, 17.52, 17.68, 17.69.) [ATTACHMENTS](#)
(O 11-24)

Staff Recommendation: Adopt.

4. Ordinance: Central Traffic District Bicycle Riding Restriction Amendment

Consider adopting an ordinance allowing parking enforcement officers to ride bicycles on sidewalks in downtown Salt Lake City. (An ordinance amending Section 12.80.160, *Salt Lake City Code*, relating to the central traffic district bicycle riding restriction.) [ATTACHMENTS](#)
(O 06-4)

Staff Recommendation: Adopt.

5. Resolution: Results of the Municipal General Election (Board of Canvassers)

The Board of Canvassers, which includes the Mayor and City Council, will Canvass and Declare the Results of the Municipal General Election held on Tuesday, November 8, 2011. The election was held for the offices of Mayor and Council Members for Council Districts 2, 4, and 6. The term for each of these positions is four years. [ATTACHMENTS](#)
(U 11-2)

Staff Recommendation:

- a. The Council will consider a motion to recess as the City Council;
- b. The Council and Mayor will then consider a motion to convene as the Board of Canvassers;
- c. The Board of Canvassers will canvass the returns and consider a resolution declaring the results of the November 8, 2011 Municipal General Election;
- d. The Board of Canvassers will consider a motion to adjourn as the Board of Canvassers;
- e. The Council will consider a motion to reconvene as the City Council.

6. Resolutions: Local Building Authority - Initial Organization of the Local Building Authority
Consider adopting various resolutions for the organization of the Local Building Authority of Salt Lake City, Utah, including appointing and authorizing officers to execute documents on behalf of the Authority, adopting Bylaws, setting regular meetings of the Board of Directors, providing for fiscal procedures and procurement and related matters. [ATTACHMENTS](#)
(R 11-15)

Staff Recommendation:

- a. The Council will consider a motion to recess as the City Council and to convene as the Board of Directors of the Local Building Authority;
- b. The Board will consider a resolution to suspend the normal rules and to appoint officers;
- c. The Board will consider a resolution to adopt Bylaws of the Authority;
- d. The Board will consider a resolution to authorize officers to execute certain documents on behalf of the Authority;
- e. The Board will consider a resolution regarding the holding and giving notice of regular meetings of the Board;
- f. The Board will consider a resolution authorizing all actions required to comply with the Fiscal Procedures for Local Districts Act;
- g. The Board will consider a resolution to authorize the Authority to acquire property and services and the procedures therefore; and
- h. The Board will consider a resolution ratifying certain actions.

- 7a. Resolution: Local Building Authority – Adopt the Tentative Budget for the Capital Projects Fund of the Local Building Authority of Salt Lake City, for Fiscal Year 2011-2012
Consider a resolution adopting the tentative budgets of the Capital Projects Fund of the Local Building Authority of Salt Lake City, Utah for Fiscal Year 2011-2012. (Potential funding for the Glendale Branch Library) [ATTACHMENTS](#)
(B 11-9)

Staff Recommendation:

Adopt.

7b. Set Date: Resolution: Local Building Authority – Final Budget, including the budget for the Capital Projects Fund of the Local Building Authority of Salt Lake City, Utah for Fiscal Year 2011-2012

Set the date of December 6, 2011 at 7:00 p.m. to accept public comment and consider a resolution adopting the final budget for the Capital Projects Fund of the Local Building Authority of Salt Lake City, Utah for Fiscal Year 2011-2012. (Potential funding for the Glendale Branch Library) [ATTACHMENTS](#)

(B 11-9)

Staff Recommendation:

a. Set the date;

b. The Board of Directors will consider a motion to adjourn as the Board of Directors of the Local Building Authority and reconvene as the City Council.

H. CONSENT:

1. Set the date: Ordinances: Revisions to Chapter 8.04, Animal Control Sections of Salt Lake City Code, pertaining to removal of pet limit, implement cat licensing fee, and increase late licensing penalties

Set the date of Tuesday, December 6, 2011 at 7:00 p.m. to accept public comment and consider adopting an ordinance revising and amending the Salt Lake City Consolidated Fee Schedule and an ordinance amending applicable provisions within Chapter 8.04, *Salt Lake City Code*, pertaining to animal control, to remove limits on the number of dogs and cats owned by individuals; to require the prevention and abatement of nuisances associated with keeping dogs and cats, including but not limited to noise and odor; to allow the animal services director to waive late fees or extend licensing deadlines in individual cases as appropriate; and to require the licensing of cats (including an increase to pet licensing late penalties, Section 8.04.521 of *Salt Lake City Code*, Appendix A).

(O 09-3)

Staff recommendation:

Set the date.

2. Set the date: Ordinance: Columbus Court PUD Zoning Map Amendment, PLNPCM2011-00091

Set the date of Tuesday, December 6, 2011 at 7:00 p.m. to accept public comment and consider adopting an ordinance requesting to rezone the parcels located within Columbus Court Planned Unit Development (PUD), approximately 700 North Columbus Court, from Foothills Residential (FR-2) to Single Family Residential (R-1/5,000). The purpose is to subdivide the existing lots into 12 smaller lots. Petitioner - Ensign Foreground LC. (Petition PLNPCM2011-00091)

(P 11-14)

Staff recommendation:

Set the date.

3. Set the date: Ordinance: Accessory Dwelling Units (ADUs)

Set the date of Tuesday, December 6, 2011 at 7:00 p.m. to accept public comment and consider adopting an ordinance changing the City's zoning regulations allowing accessory dwelling units in single-family and multi-family zoning districts currently being considered by the City Council. The intent is to provide a broader mix of housing opportunities in existing neighborhoods that address changing family needs, economic conditions, smaller household sizes, and increase efficient use of existing housing, public infrastructure and transit. Related provisions of Title 21A – Zoning – may also be amended as part of this petition. Petitioner – Mayor Ralph Becker, Petition No. PLNPCM2010-00612.

[ATTACHMENTS](#)

(P 11-15)

Staff recommendation: Set the date.

4. Set the date: Ordinance: Salt Lake Valley Solid Waste Management Facility (SLVSWMF) Budget

Set the date of Tuesday, December 6, 2011 at 7:00 p.m. to accept public comment and consider adopting an ordinance adopting the budget for the Solid Waste Management Facility, the "Landfill." The Landfill is owned by Salt Lake County and the City, and the budget is prepared and submitted by the Salt Lake Valley Solid Waste Management Council for 2012. [ATTACHMENTS](#)

(B 12-3)

Staff recommendation: Set the date.

5. Set the date: Resolution/ Ordinance: Interlocal Agreement Sugar House/ South Salt Lake Streetcar Project (Budget Amendment No. 4)

Set the date of Tuesday, December 6, 2011 at 7:00 p.m. to accept public comment and consider adopting a resolution and an ordinance relating to the planned project to build a two-mile street car line at about 2200 South between McClelland Street (1050 East) and the Utah Transit Authority Central Pointe TRAX Station at 221 West 2100 South.

[ATTACHMENTS](#)

- The first item is a resolution proposing an interlocal agreement among Salt Lake City, South Salt Lake and UTA that would govern each city's and UTA's responsibilities to build and operate a streetcar line along the two-mile corridor. (C11-777)
- The other item is an ordinance proposing a budget amendment to identify revenue and allocate Salt Lake City's share of the project.

(B 11-11)

Staff recommendation: Set the date.

6. Property Conveyance: Exchange of Property located at approximately 34 South 1000 West
Consider requesting that the Administration hold a hearing at 6:30 p.m. on Tuesday, December 6, 2011 regarding the proposed exchange of property located at approximately 34 South 1000 West with property from Questar Gas Co. The exchange will facilitate the construction and alignment of the Folsom Avenue Storm Drain project. [ATTACHMENTS](#)
(W 11-4)

Staff Recommendation: Do not call for a hearing.

7. Board Re-appointment: Mathew Wirthlin, Planning Commission
Consider approving the re-appointment of Mathew Wirthlin to the Planning Commission for a term extending through July 1, 2015.
(I 11-21)

Staff Recommendation: Approve.

8. Board Appointment: K. Marie Taylor, Planning Commission
Consider approving the appointment of K. Marie Taylor to the Planning Commission for a term extending through July 1, 2015. [ATTACHMENTS](#)
(I 11-21)

Staff Recommendation: Approve.

9. Board Appointment: Clark Ruttinger, Planning Commission
Consider approving the appointment of Clark Ruttinger to the Planning Commission for a term extending through July 1, 2015. [ATTACHMENTS](#)
(I 11-21)

Staff Recommendation: Approve.

10. Board Appointment: Bernardo Flores-Sahagun, Planning Commission
Consider approving the appointment of Bernardo Flores-Sahagun to the Planning Commission for a term extending through July 1, 2015. [ATTACHMENTS](#)
(I 11-21)

Staff Recommendation: Approve.

I. ADJOURNMENT:

Dated: November 21, 2011

By: _____
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On or before 5:00 p.m. on November 21, 2011, I also personally (1) posted a copy of the foregoing on the Utah Public Notice Website created under Utah Code Section 63F-1-701, and (2) provided a copy of the foregoing to The Salt Lake Tribune or the Deseret News and to a local media correspondent.

City Recorder

Subscribed and sworn to before me this 21st day of November, 2011.

Notary Public residing in the State of Utah

Approval:

Deputy Director

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